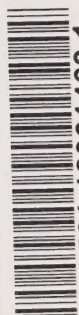


CA20N

L

-577

GOVT PUBNS



3 1761 12061463 1


STATEMENT TO THE LEGISLATURE

BY THE HONOURABLE R. H. RAMSAY

MINISTER OF LABOUR

CONCERNING PREFERENTIAL HIRING RIGHTS IN
BUSINESS RELOCATIONS AND CLOSURES

JUNE 17, 1983



Digitized by the Internet Archive
in 2024 with funding from
University of Toronto

<https://archive.org/details/31761120614631>

- 2 -

MR. SPEAKER, LATER THIS MORNING I WILL BE
TABLING A DISCUSSION PAPER ON PREFERENTIAL HIRING RIGHTS
WHEN BUSINESSES ARE RELOCATED OR CLOSED. WE ARE ALL
FAMILIAR WITH THE SERIOUS SOCIAL AND ECONOMIC IMPACT THAT
SUCH RELOCATIONS AND CLOSURES HAVE ON WORKERS WHO ARE
DISPLACED WHEN BUSINESSES RELOCATE OR ARE CLOSED.
THE LEGAL PROTECTIONS THAT ARE AFFORDED FOCUS ON FINANCIAL
COMPENSATION, SUCH AS SEVERANCE PAY, OR THE PROVISION OF
ADVANCE NOTICE TO ALLOW TIME FOR ADJUSTMENT. IMPORTANT
AS THESE PROTECTIONS ARE, HOWEVER, THEY DO NOT COMPRISE
A SUBSTITUTE FOR ALTERNATE EMPLOYMENT.

MANY EMPLOYERS DO, AS A MATTER OF CORPORATE POLICY,
PROVIDE SOME RIGHT OF PREFERENTIAL HIRING, EITHER AT A
FACILITY TO WHICH OPERATIONS ARE BEING TRANSFERRED, OR AT
SOME OTHER SIMILAR BUSINESS OPERATION. I HAVE FOUND FROM

PERSONAL EXPERIENCE IN MANY SUCH INSTANCES, THAT THERE IS GENERAL ACCEPTANCE THAT SUCH POLICIES ARE PART OF GOOD CORPORATE CITIZENSHIP.

UNFORTUNATELY, HOWEVER, NOT ALL EMPLOYERS ADOPT THIS APPROACH. IN THE LAST FEW YEARS, THERE HAVE BEEN SITUATIONS IN WHICH JOB TRANSFERS OR PREFERENTIAL HIRING RIGHTS HAVE BEEN WITHHELD, EVEN THOUGH OPPORTUNITIES HAVE EXISTED. THIS HAS BEEN A SOURCE OF CONCERN TO THE GOVERNMENT AND TO THE PUBLIC AT LARGE.

THE DISCUSSION PAPER I WILL TABLE TO-DAY SETS FORTH A PROPOSAL FOR ESTABLISHING PREFERENTIAL HIRING RIGHTS BY LAW, IN CERTAIN DEFINED CIRCUMSTANCES. THE PROPOSAL APPLIES TO WORKERS WITH 5 YEARS' SERVICE WHO LOSE THEIR JOBS AS A RESULT OF THE PERMANENT CLOSURE OR RELOCATION OF A BUSINESS.

WHILE THE PRINCIPLE EMBODIED IN THE DISCUSSION PAPER IS SIMPLE TO DESCRIBE, ITS IMPLEMENTATION HAS IMPORTANT AND RATHER COMPLEX RAMIFICATIONS, BOTH IN RESPECT OF THE EXISTING PROVISIONS OF THE EMPLOYMENT STANDARDS ACT AND IN RESPECT OF COLLECTIVE AGREEMENT RIGHTS AND OBLIGATIONS.

I BELIEVE IN THE DRAFT LEGISLATION APPENDED TO THE DISCUSSION PAPER, WE HAVE SET OUT A WORKABLE SCHEME WHEREIN VARIOUS CONFLICTING INTERESTS ARE SENSIBLY RECONCILED. NONETHELESS IT IS A UNIQUE PROPOSAL FOR WHICH THERE IS NO PRECEDENT IN OTHER JURISDICTIONS.

BECAUSE OF THIS I HAVE CONCLUDED THAT IT IS ESSENTIAL THAT THE LABOUR/MANAGEMENT COMMUNITY HAVE FULL OPPORTUNITY TO EXAMINE THE INITIATIVE AND COMMENT UPON IT.

I KNOW THAT THERE IS A GREAT DEAL OF INTEREST
AND CONCERN IN THIS AREA AND I HAVE EVERY CONFIDENCE
THAT THE SUBMISSIONS MADE TO ME WILL BE POSITIVE,
THOUGHTFUL AND HELPFUL.

THANK YOU.